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NIMBLE STORAGE INC.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

NIMBUS DATA SYSTEMS, INC., a
Delaware corporation,

Plaintiff,

v.

NIMBLE STORAGE INC., a Delaware
corporation,

Defendant.

Case No. C11-01214 RS

**STIPULATION AND ~~PROPOSED~~ ORDER
RESCHEDULING CASE MANAGEMENT
CONFERENCE AND VACATING
DEADLINES ESTABLISHED IN REVISED
CASE MANAGEMENT ORDER IN LIGHT
OF TENTATIVE SETTLEMENT**

Pursuant to Civil Local Rules 6-2 and 7-12, plaintiff Nimbus Data Systems, Inc. and defendant Nimble Storage Inc. (collectively, the "Parties"), by and through their respective counsel, hereby stipulate as follows:

WHEREAS, after lengthy settlement negotiations, the Parties have reached an agreement in principal to settle the above-entitled action, subject to finalizing and executing a written settlement agreement;

WHEREAS, a Subsequent Case Management Conference ("CMC") is currently set in this Action for April 5, 2012 at 10:00 a.m.;

WHEREAS, the Parties expect that a written settlement agreement will be finalized and executed shortly;

WHEREAS, in the interests of judicial economy, the Parties have agreed, subject to the Court's approval, that: (a) all deadlines set forth in the Court's December 13, 2011 Revised Case Management Order, including without limitation the deadlines relating to discovery, summary judgment and trial, shall be vacated; (b) the CMC currently set for April 5, 2012 shall be postponed to May 3, 2012 at 10:00 a.m., or such other date and time that may be convenient for the Court, so as to allow the Parties an opportunity to finalize the settlement agreement and effectuate the dismissal of this case.

NOW THEREFORE, IT IS HEREBY STIPULATED AND AGREED between the Parties, by and through their respective counsel of record, subject to the approval of the Court, that:

1. All deadlines set forth in the Revised Case Management Order entered on December 13, 2011 are vacated;

2. The CMC is moved to May 3, 2012 at 10:00 a.m., or such other date and time as may be convenient for the Court; and

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3. The parties will immediately notify the Court when the settlement has become final and the case is dismissed so that the rescheduled CMC can be taken off-calendar.

IT IS SO STIPULATED.

Dated: March 27, 2012

MORRISON & FOERSTER LLP

/s/ Christina Chen

Christina Chen

Attorneys for Plaintiff
NIMBUS DATA SYSTEMS, INC.

Dated: March 27, 2012

COOLEY LLP

/s/ Angela L. Dunning

Angela L. Dunning

Attorneys for Defendant
NIMBLE STORAGE INC.

FILER'S ATTESTATION

Pursuant to General Order No. 45, Section X, Subparagraph B, the undersigned attests that all parties have concurred in the filing of this Stipulation and [Proposed] Order Rescheduling Case Management Conference and Vacating Deadlines Established in Revised Case Management Order in Light of Tentative Settlement.

Dated: March 27, 2012

COOLEY LLP

/s/ Angela L. Dunning

Angela L. Dunning

Attorneys for Defendant
NIMBLE STORAGE INC.

IT IS SO ORDERED.

Dated: 3/27/12



Honorable Richard Seeborg
United States District Judge